

REMARKS

Reconsideration and allowance of this application are respectfully requested in light of the above amendments and the following remarks.

The Applicants acknowledge with appreciation that claims 6, 13 and 14 are directed to allowable subject matter.

Claims 1 and 29 have been amended to clarify and emphasize patentable subject matter of the present invention. Support for these amendments is provided for example in Figs. 3 and 4 and paragraphs [0055]-[0058] of the published application. No new matter is believed to be added by any of these amendments. (It should be noted that references herein to the specification and drawings are for illustrative purposes only and are not intended to limit the scope of the invention to the referenced embodiments.)

The specification is amended to correct a typographical error.

Claims 1, 7, 9, 10, 16, 17, 22, 27 and 29 stand rejected under 35 USC 103(a) as being unpatentable over Williamson (US 5,991,269) (referred to as "Williamson") in view of Bae et al. (US 5,832,387) (referred to as "Bae"). Claims 2-5 stand rejected under 103(a) as being unpatentable over Williamson in view of Bae and Sohner (US 5,018,165) (referred to as "Sohner"). Claim 8 stands rejected under 103(a) as being unpatentable over Williamson in view of Bae, Sohner and Quigley (US 2001/0055319 A1). Claims 11-12 stand rejected under 103(a) as being unpatentable over Williamson in view of Bae and Ikami (US 2003/0206160 A1). Claims 15, 18-20 and 28 stand rejected under 103(a) as being unpatentable over Williamson in view of Bae and Cern (US 2004/0109499 A1). Claim 21 stands rejected under 103(a) as being

unpatentable over Williamson in view of Bae and Abraham (US 6,407,987 B1). Claim 23 stands rejected under 103(a) as being unpatentable over Williamson in view of Bae and Barlev (US 7,133,441 B1). Claims 24-26 stand rejected under 103(a) as being unpatentable over Williamson in view of Bae and Kodama (US 2003/0156014 A1). To the extent that these rejections may be applied to the amended claims presented herein, the Applicants respectfully traverse based on the points set forth below.

With reference to page 4 of the office action which cites Bae, the Applicants note that, as illustrated in Bae's Fig. 8, a carrier transmitter 700 (which corresponds to the claimed transmitter) and a carrier receiver 704 are connected through transmission channel 702 (which corresponds to the claimed transmission line). Bae discloses at col. 4, line 26-col. 5, line 2 that carrier transmitter 700 transmits a data signal (which corresponds to the claimed first signal) to carrier receiver 704 via transmission channel 702. Carrier receiver 704 converts the form of the received signal, SNR calculator 706 calculates SNR based on the converted signal, and first and second power determiners 708, 710 determine the power value. That is, the SNR is calculated based on the data signal passing through the whole transmission line between a transmission side and a receiving side, rather than only in the transmission side.

It should be especially noted that the present claims are directed to a transmitter and a transmission method, including, *inter alia*, controlling, independently of receiving any signal from another communication apparatus, transmission power of a second transmission signal based on a radiation power in correspondence with a frequency of a sub carrier of a first transmission signal, the radiation power occurring between a signal output portion and a transmitter. In other words, the control operation does not require any signal from another

communication apparatus in performing the control of the power of the second transmission signal. The Applicants particularly note that, in contrast to these claim features, in the cited Bae reference, the carrier transmitter receives the SNR signal from another communication apparatus, i.e., the carrier receiver 704.

Accordingly, it is submitted that Bae does not disclose or suggest the instant claimed feature of a transmission signal controller for controlling, independently of receiving any signal from another communication apparatus, a transmission power of the second transmission signal generated by a transmission signal generator based on a radiation power in correspondence with a frequency of a sub carrier of a first transmission signal generated by the transmission signal generator, the radiation power occurring between a signal output portion and a transmitter (see claims 1 and 29).

Page 3 of the office action cites Williamson. However, the office action does not propose that Williamson has relevance to the above-noted features of the present claimed invention.

Accordingly, it is submitted that, due to the above-noted collective deficiencies of Williamson and Bae, these references, even if combined in the manner proposed in the office action, would not have achieved the features of the present claims. Thus, it is submitted that Williamson and Bae, considered alone or together, fail to render obvious the subject matter of present independent claim 1. Independent claim 29 similarly recites the above-mentioned subject matter distinguishing apparatus claim 1 from the teachings of the applied references, and thus is allowable for similar reasons that claim 1 is allowable. Claims 2-28 and 30 are considered to be allowable due to their dependence from allowable independent claims and also

due to their recitation of subject matter that provides an independent basis for their individual allowability.

Accordingly, in light of the foregoing, it is submitted that all pending claims are directed to allowable subject matter, and a notice of allowance is respectfully requested.

If any issues remain which may best be resolved through a telephone communication, the examiner is requested to telephone the undersigned at the local Washington, D.C. telephone number listed below.

Respectfully submitted,

/James Edward Ledbetter/

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James E. Ledbetter
Registration No. 28,732

JEL/att

Attorney Docket No. 008612.06110

Dickinson Wright PLLC
1875 Eye Street, NW, Suite 1200
Washington, DC
20006
Telephone: 202.457.0160
Facsimile: 202.659.1559